United Nations A/HRC/25/NGO/159

General Assembly

Distr.: General
5 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11764
1411764

Please recycle

Torture and Impunity in Ukraine

Since 21 November 2013, when the EuroMaydan movement in Kyiv started, hundreds of people have been wounded by police, hundreds have been abducted, arrested and tortured. There have been at least nine fatalities. Society for Threatened Peoples is especially concerned about reports of the use of torture and ill-treatment in police custody against government opponents. Based on the numerous incidents reported in the media, social surveys, and complaints received by human rights NGOs, it is estimated that thousands of Ukrainians are subjected to torture and other ill-treatment by police and other law enforcement officials every year, without redress. Police impunity is widespread and has a notoriously long tradition in Ukraine.

The case of Dmytro Bulatov, who was abducted on 22 January 2014 and reappeared again on 30 January 2014, was widely reported about. He described in detail what happened to him:

"They cut my ear, I couldn't feel how much they cut off my ear. They took the piece of my ear and touched my face with it," Bulatov said, adding that he became so desperate as the beatings continued that he falsely confessed to having received $50,000 from the US Ambassador in an attempt to stop the torture. "It felt as if melted metal was poured on my face. The only thing I wanted was for this to stop," Bulatov told reporters. "I said whatever they wanted."

Automaidan, the protest group run by Bulatov, was largely made up of drivers who would blockade streets to protect protest camps.

On the final day, Bulatov says he was pinned to a wooden door. "On the last day they put me on my knees. They said 'we are going to crucify you,'" he said.

Bulatov says that nails were then driven through his hands.

"I was asking them to kill me because I was unable to stand this anymore."

Society for Threatened Peoples along with protest groups in Ukraine fears that there are dozens of similar cases only since the start of the mass-protests in Ukraine. It is important not only to focus on the situation in Kyiv but so also monitor human rights violations in the provinces. For example on 26 January 2014, an anti-government protest, attended by several thousand people was held near the Dnepropetrovsk Regional State Administration. During the protest, a group of activists was attacked by a group of unidentified masked men with sticks. Many of them were carrying non-lethal weapons and police shields. All attackers were wearing yellow armbands. At least 80 people where injured, about 10 taken to hospitals in serious conditions. On 31 January 2014, at least 27 people were arrested in Dnepropetrovsk and accused of involvement in the riots. On 26 January 2014, a EuroMaydan rally was held near the Zaporozhye Regional State Administration. On the night of 27 January, security forces dispersed the EuroMaidan activists who had planned to stay for the night. According to eyewitnesses, the protests were "mopped up" form the square with shots from traumatic weapons and stun grenades. At least 100 people were injured and at least 47 were detained. Among the injured were three journalists.

Society for Threatened Peoples has observed the violent targeting of journalists by law enforcement officials not only in this case. Some media outlets have been prevented from covering the EuroMaydan events, and students have come under pressure for their participation in the events.

Another case gained wide attention: A protester in Kyiv was stripped and beaten and forced to stand naked in the cold. His fate stands as an example for widespread police brutality and arbitrariness. In this case the Ukrainian Minister of Internal Affairs took the unusual step of issuing a public apology for the incident. The reality is that individuals who complain about police ill-treatment have little chance of getting their complaints heard, let alone acted upon. There are no official statistics for the number of people that have complained about torture and other ill-treatment since the beginning of the EuroMaydan demonstrations.

Amnesty International reports yet another case: Mykhaylo Nyskohuz, a 17 year-old student from Chervonohrad in Western Ukraine, was beaten by riot police on 20 January in Kyiv. He claims that he was watching and filming the events on his mobile phone from the side when at 9.30 pm he was detained by four riot police officers. They beat him then forced him to walk down a corridor of officers, along with other detained protestors, and beat him as he was passed down the corridor. After that he was forced to lie on the icy ground while riot police tried to strip him while continuing to beat him. They also forced him to sing patriotic songs. He was finally taken to hospital, and had suffered a broken arm, broken fingers, head injuries, a knife wound to his buttocks and bruising. He has lodged a complaint with the Kyiv City Prosecutor concerning the torture and other ill-treatment. On 21 January, he was informed that he is suspected of participating in "mass disturbances" under Article 294 of the Criminal Code, and on 22 January, Solomyanskiy District Court put him under house arrest. He is currently being treated for his injuries in Chervonohrad.

As a state party to the UN Convention against Torture and the European Convention on Human Rights, the Ukrainian authorities have an obligation to ensure that all allegations of torture and other ill-treatment by the police, are promptly, effectively and independently investigated. With the ongoing protests the Ukrainian authorities need to put an end to impunity.

Society for Threatened Peoples calls on the Human Rights Council to:

- Ask the Ukrainian government for an invitation of the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment to Ukraine

- Pressure the Ukrainian authorities to end impunity for torture and other degrading treatment of protesters of the EuroMaydan movement